

## CHAPTER 1 GENERAL

1-1. Introduction. This Engineer Pamphlet (EP) presents requirements and procedures for preparing Explosives Safety Submissions (ESS) for conventional ordnance and explosives (OE) response actions conducted by the United States Army Corps of Engineers (USACE). This EP also delineates roles and responsibilities of various entities in the preparation, review, and approval of an ESS.

1-2. ESS Overview.

a. Description of the ESS.

(1) The ESS provides the safety specifications for execution of the selected response alternative(s).

(2) An ESS must be done for all response actions, even if the recommended response action is either No Department of Defense (DOD) Action Indicated (NDAI) or Institutional/Engineering Controls. Typically the ESS will be done during the design phase. An ESS is not required for the purpose of investigation.

(3) The ESS must be approved prior to the implementation of the recommended response alternative.

(4) The ESS will be prepared based on the anticipated worst case scenario using the Munition with the greatest fragmentation distance (MGFD) (i.e., the largest unexploded ordnance (UXO) item with the largest net explosive weight and the greatest fragmentation distance, or even multiple rounds unintentionally firing together). The MGFD will be determined based upon the UXO items that are realistically expected to be located at the site.

b. Purpose of the ESS. The purpose of the ESS is to ensure that all applicable DOD and Department of the Army (DA) explosive safety standards are applied during an OE response action. The OE project team will ensure that the ESS, Work Plan (if applicable), Scope of Work, and Action Memorandum are consistent with each other.

c. Utilization of the ESS.

(1) Intrusive operations performed for the purpose of removing OE will be executed in accordance with the ESS. Intrusive or surface removal operations may not begin, during an OE removal action, until the ESS has being approved by the appropriate authority.

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Approved ESS changes must be incorporated into the Work Plan, and vice versa, before intrusive or surface removal operations begin.

(2) All personnel working at, or visiting, a site during an OE removal action must comply with the ESS.

(3) A copy of the approved ESS will be maintained at the project site.

(4) In the event that a more hazardous situation is encountered in the field than is identified in the approved ESS, then an amended ESS will be prepared that covers the newly identified hazard. Work may continue on site until the amended ESS has been approved; however, the more restrictive measures (e.g., increase in the exclusion zone) will be implemented immediately. See Chapter 6 for additional details on preparing changes to an approved ESS.

1-3. Regulatory Authorities. A discussion of the laws and regulations governing OE response actions is provided in EP 1110-1-18, entitled “Ordnance and Explosives Response”. This discussion provides an overview of the legal authorities for conducting an OE response action and includes the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), National Oil and Hazardous Substance Pollution Contingency Plan (NCP), Defense Environmental Restoration Program (DERP) [including the Formerly Used Defense Sites (FUDS) program and Installation Restoration Program (IRP)], Base Realignment and Closure (BRAC) program, Resource Conservation and Recovery Act (RCRA), and the Environmental Protection Agency (EPA) Military Munitions Rule.